IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

NATHAN ANTOINE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. **06-795-WDS**
	)	
WEXFORD MEDICAL SERVICES, et al.,	)	
	)	
Defendants.	)	

ORDER

PROUD, Magistrate Judge:

Before the court is plaintiff's Motion for an Order Compelling Discovery. **(Doc. 64)**.

Defendants Hulick, Gladson, and Grubman filed a response at **Doc. 68.**

This motion concerns interrogatories that were at issue in plaintiff's previous motion to

compel, **Doc. 58.** The court sustained defendants' objections and denied the previous motion.

See, Doc. 62. It appears that plaintiff mailed the instant motion before he received a copy of

Doc. 62.

Because this motion raises issues that have already been ruled on, this motion is moot.

The court notes plaintiff's argument that "deliberate indifference can be shown through

unprofessional actions." **Doc. 64, ¶5**. That statement is incorrect. Negligence or even gross

negligence do not constitute deliberate indifference. **See,** *Walker v. Peters*, **233 F.3d 494, 499**

(7ᵗʰ Cir. 2000); *Perkins v. Lawson*, **312 F.3d 872, 875 (7ᵗʰ Cir. 2002) (stating that even gross**

negligence does not constitute deliberate indifference). Thus, questions about defendants'

educational background, training, licensure, and similar issues are not relevant to a claim for

deliberate indifference.

For the reasons stated in **Doc. 62**, plaintiff's Motion for an Order Compelling Discovery

(Doc. 64) is **DENIED**.

IT IS SO ORDERED.

DATE: July 23, 2008.

s/ Clifford J. Proud
CLIFFORD J. PROUD
U.S. MAGISTRATE JUDGE